McKeithen

PETITION FOR

By ROSEMARY JAMES

Gov. John J. McKeithen said here today that the Metropolitan Crime Commission will file a petition instituting a suit for the removal of Criminal District Judge Malcolm V. O'Hara.

E. C. Upton Jr., president of the crime commission, confirmed the governor's statement and said the MCC will file the petition with the state attorney general's office "as early as possible this week."

State law provides that action to remove a judge or other state officer must be taken by the attorney general on receipt of a petition signed by 25 "citizens and taxpayers."

GROUNDS FOR impeachment under state law include "high crimes and misdemeanors in office, incompetency, corruption, favoritism, extortion, or oppression in office, or for gross misconduct or habitual drunkenness."

The conduct of the judge became a source of criticism and controversy after he testified in a Chicago federal court hearing last month that he was the expense-paid traveling companion of New Orleans builder Zachary A. "Red" Strate, who was convicted along with Teamster Union president James R. Hoffa in 1964 on charges of fraud and conspiracy.

The judge further testified during the hearing that he acted as a messenger in an attempt to get Baton Rouge Teamster official Edward Grady Partin, whose testimony was instrumental in convicting Hoffa of an earlier jury-tampering charge at Chattanooga, to sign an affidavit that Hoffa was convicted on the basis of illegal wire-tap information.

EARLIER, THE MCC had asked the governor to take action in the matter. The law

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also provides that removal suits may be instituted on the request of the governor.

The governor told the commission that all local remedies should be taken before he stepped into such a matter.

Friday, it was learned that a unit of the Greater New Orleans Federation of Churches had called upon Gov. McKeithen to seek a Louisiana Supreme Court hearing to determine whether

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the judge should be removed.

Asked today what action he plans to take on the church group's request, the governor said, "None. The Metropolitan Crime Commission has advised me that they will file the petition."

ON ANOTHER MATTER, Gov. McKeithen appeared surprised by the news that Life Magazine is publishing new allegations of organized crime influences in the state in this week's issue.

The magazine charges that on many occasions between June 1966 and March 1967, Carlos Marcello called Aubrey Young, former aide to the governor, on Young's direct line in the governor's office.

Earlier articles in the magazine charged that Young arranged a meeting between Partin and a public relations man who brought up the name of Hoffa.

Young admitted that he arranged the meeting, but said he did not know that the purpose of the meeting was to try to get Partin to change his testimony.

The magazine states that Young passed out $100 bills to Las Vegas chorus girls while the guest of Mario Marino at the Sands Hotel. Marino is described as a friend of Marcello.

ASKED TO COMMENT on the matter, Gov. McKeithen said, "Aubrey Young is presently in our institution at Mandeville. He has vehemently denied to me having talked or met with Carlos Marcello. His trips to Las Vegas were one reason I told him he couldn't work for me anymore. I understand he was intoxicated the whole time he was in Las Vegas."

The magazine also charged that in its earlier articles it had pointed out instances of gambling in the state and that there had been little, if any, curtailment of gambling since the articles appeared. The article says one club in Lafayette closed after the articles on crime appeared, but that another one opened under the same management almost immediately.

GOV. M'KEITHEN said this morning that he didn't know what to say, that he had instructed the state police to make certain that any gambling going on was stopped and that he had no knowlege of any gambling.

The story also charges that three illegal bookmaking operations are flourishing in New Orleans.

Asked to comment, Gov. McKeithen said this was the sort of operation the state police could investigate but that he hoped the New Orleans police and the DA could handle it.

District Attorney Jim Garrison has denied the existence of any organized crime in Orleans Parish.

The governor repeated what he said earlier, although not so strongly, that he thought Life was attempting a deliberate "smear" of Louisiana.

ASKED WHY LIFE would say there is gambling and other evidence of organized crime if in fact it doesn't exist, the governor said, "I just don't know. I said before, and I still think, it has something to do with Sheridan being indicted down here" in connection with Garrison's probe.

He was referring to NBC newsman Walter Sheridan, who is under indictment for bribery in connection with Garrison's assassination investigation.

The governor said representatives of the magazine are coming to see him this week, and "they have told me they will make available all of the information on which they base their charges."

McKeithen said he is "most anxious" to hear what they have to say.

Last week, the governor announced that he is establishing a statewide law enforcem ent commission, which will serve as an advisory group to the administration and the Legislature on all matters involving crime and prosecution of criminals.

TODAY, M'KEITHEN said that he has made no firm decision on who will be appointed other than Upton, as an ex-officio member representing the crime commission here. He said, however, that he hopes to have men of high stature.

About the domed stadium, McKeithen said that the stadium commission is "in the midst of preparations for negotiations" with railroad officials for the Illinois Central site in the central city area.

Asked about whether he intends to ask the State Police to intervene in the investigation in the string of murders recently in the New Orleans area, Gov. McKeithen said, "Our idea is to cooperate with local officials. We certainly want to offer any help they can use. We have a fine crime laboratory, for example, which they can call upon for help."